

EXHIBIT NO. 1

COPY



CITY OF HUNTINGTON PARK
6550 Miles Avenue, Huntington Park, CA 90255
Claim for Damage

City Clerk Stamp Here

2023 MAY -1 PM 5:29

INSTRUCTIONS:

Read entire claim before completing form, and execute Certificate of Claimant on reverse side. File with the City Clerk within six months following accident.

Claimant's Name: (See Attached letter)

Telephone: 714-541-8600

Address: c/o Carrazco Law, A.P.C., 18301 Irvine Boulevard, Tustin, CA 92780

Address to which the person presenting claim desires notice to be sent:

Carrazco Law, A.P.C., 18301 Irvine Boulevard, Tustin, CA 92780

Date of Incident: 10/30/2022

Time: 5:00

a.m. () p.m. (✓)

Location of Incident. (Be Specific as to exact location.)

(See attached)

Circumstances of the occurrence or transaction which gave rise to the claim asserted.

(Use additional sheets, if necessary).

(See Attached letter)

Indebtedness, obligation, injury, damage, or loss incurred, so far as known at this time.

(See Attached letter)

Name(s) of public employee(s) causing the injury, damage, or loss, if known.

Unknown at present (see attached letter)

The amount claimed, including estimated amount of any prospective injury, damage or loss, together with your computation of such amount.

(See attached letter)

Names and addresses of witnesses, doctors, and hospitals:

(See attached letter)

CERTIFICATE OF CLAIMANT

I certify that I am the claimant (or the person authorized by the claimant to execute this claim on his behalf.) I have read and fully understand the foregoing claim for damage, including all matter appearing on both sides of this sheet and upon all sheets attached hereto which bear my signature; and I hereby make the following declaration, under penalty of perjury, in support of said claim:

- 1) Said claim contains a complete and accurate description of the indebtedness, obligation, damage, loss, or injury, insofar as the facts are now known to me.
- 2) All matter set forth in said claim is true of my own knowledge except such matter as is stated upon information or belief; and as to such matter, I believe it to be true.
- 3) The names and addresses of all witnesses have been accurately listed herein, insofar as they are now known to me.

I hereby make claim against the City of Huntington Park as herein set forth, believing it to be a just and lawful claim, and further declare that no part of the amount claimed herein has heretofore been presented, allowed, or paid.

Signature:



Dated:

5/11/23

Print Name: Angel Carrasco, Jr., Esq.

Address: 18301 Irvine Boulevard

City, State, Zip: Tustin, CA 92780

Telephone Number: (Home)

(Business) 714-541-8600

Important Note:

Government Code Section 810, et. Seq. and Section 911.2 require all claims to be presented in complete written detail, by the claimant or some person on his behalf, not later than six months following the date upon which the claimed personal injury or property damage occurred. Presentation of a false claim is a felony (Penal Code Section 72).

Ord 624-NS, eff. Dec 15, 1999, City shall take action upon any claim subject to the requirements of the above within forty-five (45) days after claim has been presented.



18301 Irvine Boulevard, Tustin, CA 92780
Telephone: (714) 541-8600 Facsimile: (714) 541-8601

May 1, 2023

PERSONAL DELIVERY

City of Huntington Park
City Clerk
6550 Miles Avenue
Huntington Park, CA 90255

Attn: City Clerk

RE: **GOVERNMENTAL CLAIM FOR DAMAGES**

Decedent: William Rene Salgado Miranda
Our clients: JUANA MARIA MIRANDA; WILLIAM OMAR CASTILLO
MIRANDA; OMAR ANTONIO CASTILLO BLANDON;
OSCAR ERNESTO CASTILLO ESPINOSA
Date of loss: 10/30/2022
Place of Incident: 6315 Malabar Street Apt C, Huntington Park, CA 90255 at
approximately 5:00 p.m.

Government Claim(s): Pursuant to all provisions of California Government Code
Section(s) 905: 910: 911.2: 815.2: 820; 820.2 and all other provisions of the Government Code;
C.C.P. Sections 377.60 [Wrongful Death] and 377.30; 377.32 [Personal Injury/Survival] and
based on all other statutes case law. public entity liability, general negligence, and all other
sources of liability in the broadest sense possible for Wrongful Death of William Rene Salgado
Miranda on October 30, 2022.

Dear Gentilepersons:

Pursuant to §910 of the California Government Code, this letter constitutes our clients' formal Governmental Claim and request that all notices regarding this matter be sent to our office, and is provided in conjunction with the City of Huntington Park Claim Form of which this letter is attached thereto.

1. NAME AND ADDRESS OF CLAIMANTS:

JUANA MARIA MIRANDA; WILLIAM OMAR CASTILLO MIRANDA; OMAR ANTONIO CASTILLO BLANDON; and OSCAR ERNESTO CASTILLO ESPINOSA, a minor by and through Guardian ad Litem, WILLIAM OMAR CASTILLO MIRANDA.

c/o Angel Carrazco, Jr., Esq.
Christopher L. Holm, Esq.
CARRAZCO LAW, A.P.C.
18301 Irvine Boulevard
Tustin, CA 92780

2. DATE, TIME & PLACES OF INJURY OR DAMAGE:

October 30, 2022 at approximately 5:00pm., 6315 Malabar Street Apt C, Huntington Park, CA 90255.

3. ADDRESS CLAIMANTS DESIRE NOTICES TO BE SENT:

Send all Notices to Claimants to the Attention of:

Angel Carrazco, Jr., Esq.
Christopher L. Holm, Esq.
CARRAZCO LAW, A.P.C.
18301 Irvine Boulevard
Tustin, CA 92780

4. CIRCUMSTANCES OF THE OCCURRENCE WHICH GIVES RISE TO THE CLAIM ASSERTED:

On October 30, 2022, Huntington Park Police Department police officers (names unknown at present) employed by City of Huntington Park, shot and killed Decedent, William Rene Salgado Miranda. Decedent's surviving family members, JUANA MARIA MIRANDA; WILLIAM OMAR CASTILLO MIRANDA; OMAR ANTONIO CASTILLO BLANDON; and OSCAR ERNESTO CASTILLO ESPINOSA, a minor by and through Guardian ad Litem, WILLIAM OMAR CASTILLO MIRANDA (collectively at times referred to as "Claimants") have suffered the wrongful death of Decedent, William Rene Salgado Miranda when he was shot by Huntington Park Police Department police officers (names unknown at present).

All Claimants are hereby asserting claims for funeral expenses; loss of income; and a loss of future income and financial support; and recovery of the conscious pain and suffering of William Rene Salgado Miranda suffered prior to his death. All Claimants are also asserting a claim for loss of love, aid, comfort, society, guidance, and affection. All claimants are making a claim for Intentional Infliction of Emotional Distress as they witnessed the events and shooting unfold.

Decedent, William Rene Salgado Miranda's heirs/survivors are making a claim for all damages of Decedent, William Rene Salgado Miranda, would be entitled to recover under California and Federal law, including but not limited to compensable damages for the pain and suffering Decedent, William Rene Salgado Miranda sustained prior to his death.

5. HOW DID THE INCIDENT OCCUR?

On October 30, 2022 at approximately 5:00 pm at 6315 Malabar Street Apt C, Huntington Park, CA 90255, police officers employed by Huntington Park Police Department, a part of City of Huntington Park (names unknown at present), shot and killed Decedent, William Rene Salgado Miranda, who presented no threat to their immediate safety or that of anyone else. The use of force was excessive, unjustified and unconstitutional. Officers did not issue any commands nor warnings that such force would be used. The officers fired numerous rounds, ultimately killing Decedent

6. THEORIES OF LIABILITY:

FEDERAL THEORIES OF LIABILITY:

- A. Claimants are making a claim under 42 U.S.C. §1983 for excessive force that caused decedent harm in violation of search and seizure clause of the 4th Amendment as applied to state actors under the 14th Amendment;
- B. Claimants are making a claim for violation of their 14th Amendment rights to a familial relationship (Substantive Due Process Claims) against the City of Huntington Park, Huntington Park Police Department and the individual City of Huntington Park Police Officers (names unknown);
- C. Violation of Civil Rights: 42 U.S.C. §1983 (Municipal Liability): The City of Huntington Park and the Huntington Park Police Department has unlawful and unconstitutional customs and practices, including the custom and practice of ratifying the misconduct of its officers, by condoning the unlawful actions of City of Huntington Park Police Department Officers (names unknown), and by allowing investigating officers to provide incorrect misleading facts and make false statements to supervisors and the media in order to make it appear as though the shooting was proper and within the law.

STATE THEORIES OF LIABILITY:

- A. Battery: The Huntington Park Police Department and the individual City of Huntington Park Police Officers (names unknown) intentionally used deadly force and shot Decedent, William Rene Salgado Miranda, and did so with malice and evil intent;
- B. Failure to Provide Medical Care, Government Code §815.6: Huntington Park Police Department and the individual City of Huntington Park Police Officers (names unknown) at the scene of the shooting deliberately failed to comply with the mandatory duty under Government Code §815.6 to provide Decedent William Rene Salgado Miranda with medical care for the life-threatening injuries inflicted by Huntington Park Police Department and the individual City of Huntington Park Police Officers (names unknown)
- C. Negligence (Wrongful Death): as to Huntington Park Police Department and the individual City of Huntington Park Police Officers (names unknown) and City of Huntington Park;
- D. Violation of Bane Act (Cal. Civil Code §52.1);
- E. Intentional Infliction of Emotional Distress as to all Claimants; and
- F. False Arrest / Excessive Force in Violation of Cal. Const., Art 1

7. DAMAGES:

Claimants' damages and injury include but are not limited to: General damages (also known as non-economic damages), including but not limited to, past and future physical, mental,

and emotional pain and suffering in an amount in excess of the jurisdictional minimum, according to proof; All Claimants also assert a claim for loss of love, aid, comfort, guidance, and affection; Decedent's survivors are further making a claim for all damages Decedent William Rene Salgado Miranda would be entitled to recover under Federal and California law, including but not limited to compensable damages for the pain and suffering that Decedent William Rene Salgado Miranda sustained prior to his death; for special damages (also known as economic damages), including but not limited to:

- i. Funeral expenses, loss of income, and loss of future income and financial support
- ii. For prejudgment interest, according to proof;
- iii. For cost of suit incurred, including attorney's fees, according to proof; and
- iv. For damages for Claimants' other losses, according to proof.

Claimants JUANA MARIA MIRANDA; WILLIAM OMAR CASTILLO MIRANDA; OMAR ANTONIO CASTILLO BLANDON; and OSCAR ERNESTO CASTILLO ESPINOSA, a minor by and through Guardian ad Litem, WILLIAM OMAR CASTILLO MIRANDA claim medical expenses for injuries (physical, mental and/or psychological) arising from the Incident and the loss of Decedent, William Rene Salgado Miranda. also claim medical expenses of their own arising from injuries sustained in the Incident.

8. NAMES OF WITNESSES:

JUANA MARIA MIRANDA; WILLIAM OMAR CASTILLO MIRANDA; OMAR ANTONIO CASTILLO BLANDON; and OSCAR ERNESTO CASTILLO ESPINOSA, a minor by and through Guardian ad Litem, WILLIAM OMAR CASTILLO MIRANDA

9. NAMES OF PUBLIC EMPLOYEES:

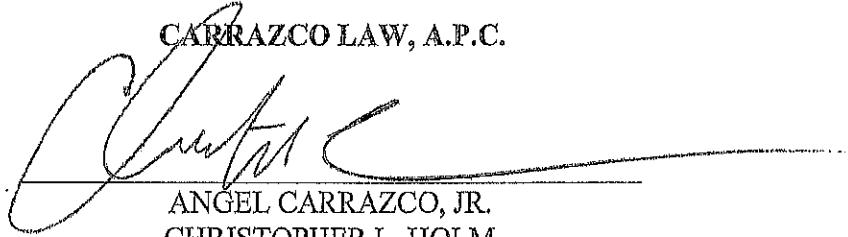
Unknown at present.

10. AMOUNT CLAIMED:

1. General Damages in excess of required amount for action to be brought in Unlimited Superior Court, and Federal Court;
2. Special Damages according to proof plus all further and proper relief.
3. Punitive damages as to individual defendant officers, including any of its employees, agents, contractors, independent contractors or others, identities unknown at present;
4. Attorney's Fees pursuant to Federal law under 42 U.S.C. §1985.

Very Truly Yours,

CARRAZCO LAW, A.P.C.

A handwritten signature in black ink, appearing to read 'Angel Carrazco, Jr.', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

ANGEL CARRAZCO, JR.
CHRISTOPHER L. HOLM
On Behalf of Claimants

Carrazco Law
A Professional Corporation

18301 Irvine Blvd.
Tustin, CA 92780

NEOPOST

05/01/2023

US POSTAGE \$001.00⁰



ZIP 92780
041M11297679

City of Huntington Park
City Clerk
6550 Miles Avenue
Huntington Park, CA 90255